



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

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May 12, 2023

**Via ECF**

The Honorable Katharine H. Parker  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 750  
New York, New York 10007

Re: *State of New York v. Arm or Ally, LLC, et al.*, No. 22-cv-06124 (JMF)

Dear Judge Parker:

On behalf of Plaintiff the People of the State of New York (the “State”), we write pursuant to Your Honor’s Order directing the parties to file a status letter 90 days after the Court’s February 14, 2023 pre-conference telephone call. The State respectfully submits this letter together with all defendants except Indie Guns, LLC.

On April 19, 2023, Defendants, except Indie Guns, LLC, who is unrepresented, filed their motions to dismiss the second amended complaint. *See* ECF Nos. 174-183, 186-191; *see also* ECF No. 192 (recognizing that Indie Guns is “in default”). Defendants Brownells, Inc., Primary Arms, LLC, Rock Slide USA, LLC, and Salvo Technologies, Inc. also filed an amended motion to sever. *See* ECF No. 184-185. The State’s opposition to Defendants’ motions will be filed on or before June 16, 2023, and Defendants’ reply briefs in support of their motions to dismiss and sever will be filed on or before July 5, 2023. *See* ECF No. 196.

As set forth in the parties’ joint status letter dated January 12, 2023, *see* ECF No. 86, it remains the State’s position that in order to facilitate potential meaningful settlement negotiations, the State needs certain discovery from Defendants. Discovery has been stayed, however, pending the Court’s resolution of Defendants’ motions to dismiss. *See* ECF No. 117.

While the parties are amenable to participating in a settlement conference, the parties respectfully and jointly request that the Court defer scheduling any such conference until Defendants’ motions to dismiss are resolved and discovery is commenced. To that end, the parties respectfully and jointly propose filing a second joint status letter within 45 days of the Court’s ruling on Defendants’ motions to dismiss.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James M. Thompson', is written over a horizontal line.

James M. Thompson  
Special Counsel

Cc via ECF

All counsel of record

Cc via first class mail

INDIE GUNS, LLC

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